

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARK IANELLI,	:	
	:	
Plaintiff	:	CIVIL ACTION NO.
v.	:	
	:	19-CV-04964-RAL
SERGEANT MICHAEL HARVEY,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this ____ day of _____, 2023, upon consideration of Defendant Michael Harvey's Motion in Limine to Preclude Evidence of Misconduct or Discipline, and Plaintiff's Response thereto, it is HEREBY ORDERED that the Motion is DENIED as MOOT.

BY THE COURT

Honorable Richard A. Lloret
U.S. Magistrate Judge

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	:	
Defendant.	:	

**PLAINTIFF’S RESPONSE TO DEFENDANT’S MOTION IN LIMINE TO PRECLUDE
EVIDENCE OF MISCONDUCT OR DISCIPLINE**

Plaintiff, Mark Ianelli hereby responds to Defendant’s Motion. In support of this Response, Plaintiff incorporates the attached memorandum of law. Plaintiff respectfully requests that this Court deny Defendant’s motion in accordance with the attached proposed Order.

Date: April 16, 2023

Respectfully submitted,

/s/ Ryan Anderson
Ryan Anderson
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Plaintiff	:	CIVIL ACTION NO.
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**MEMORANDUM IN SUPPORT OF PLAINTIFF’S RESPONSE
TO DEFENDANT’S MOTION IN LIMINE
TO PRECLUDE EVIDENCE OF MISCONDUCT OR DISCIPLINE**

The Court should deny this Motion as Moot as Plaintiff has no records or evidence produced during discovery of any disciplinary actions taken against Mr. Harvey. This Court denied Plaintiff’s Motion for an extension of discovery and the production of Mr. Harvey’s personnel file. If Defendant is now revealing that, despite Plaintiff’s Requests for any disciplinary records in discovery to which Defendant responded that there are none, there are indeed prior disciplinary action taken against Mr. Harvey that were not produced in Discovery, Plaintiff is at a loss as to how to proceed without discovery of those records. If, as stated in Response to discovery, that there are no disciplinary actions, then Defendant’s Motion is superfluous.

Date: April 17, 2023

Respectfully submitted,

/s/ Ryan Anderson
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